FREEDOM OF INFORMATION

INFORMATION STATEMENT
AND
FOI APPLICATION FORM

AS REQUIRED UNDER THE FREEDOM OF INFORMATION ACT, 1992

(Updated 22 July 2026)

Administration Centre – Eaton

1 Council Drive | PO Box 7016

EATON WA 6232

Tel: 9724 0000

records@dardanup.wa.gov.au

www.dardanup.wa.gov.au

Shire of Dardanup

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VERSION HISTORY

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Reviewed and Updated	30/07/2020
Reviewed and Updated	17/07/2019

1. INTRODUCTION

Section 96(1) of the Freedom of Information Act (1992) requires each government agency, including local governments, to prepare and publish annually an Information Statement.

The Information Statement must set out:-

The Agency's Mission Statement

- Details of legislation administered.
- Details of the agency structure.
- Details of decision-making functions.
- Opportunities for public participation in the formulation of policy and performance of agency functions
- Documents held by the agency.
- The operation of FOI in the agency.

This document has been prepared for the Shire of Dardanup to satisfy Part 5 of the Act, and is correct as at 1 August 2025. Copies of this document may be obtained from:-

The Chief Executive Officer
Shire of Dardanup
PO Box 7016
EATON WA 6232

Or on the Shire of Dardanup website at www.dardanup.wa.gov.au

Or from the Shire's administration building at 1 Council Drive, Eaton WA.

Enquiries may be made to that office or by telephoning (08) 9724 0000 Monday to Friday from 8.30 a.m. to 4.30 p.m. or by e-mail records@dardanup.wa.gov.au.

2. ENABLING LEGISLATION

The Shire of Dardanup is constituted as a Local Authority under the Local Government Act, 1995. The general function of a Local Government is to provide for the good government of people living and working within its district and includes legislative and executive powers and responsibilities.

Using its legislative powers, a Local Government may make local laws prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed for it to perform any of its functions under the Local Government Act.

The Local Government's executive powers involve administering its local laws and doing other things that are necessary or convenient to be done for, or in connection with, performing its functions under the Local Government Act, including the provisions of services and facilities.

3. VISION AND VALUES

Our Vision

Provide effective leadership in encouraging balanced growth and development of the shire while recognising the diverse needs of our communities.

Community Values

We value:

- *Strong civic leadership representing the whole of the Shire which is supported by responsible and transparent corporate governance;*
- *Maintaining a balanced respect for our natural assets and built environment, while retaining our lifestyle values, community spirit and identity;*
- *A safe and vibrant community which is inclusive and welcoming for all ages and interests;*
- *To encourage a diverse and resilient economy that supports a range of local employment opportunities; and*
- *Provision and maintenance of facilities, infrastructure and services to promote the Shire as an attractive and desirable place to live.*

Shire Values – TRACES

The Shire of Dardanup is building a culture where openness and transparency are the norm; and where we all hold ourselves accountable to deliver excellence for our customers and community.



4. STRUCTURE OF THE SHIRE OF DARDANUP

The Council of the Shire of Dardanup is the overall decision-making body. The Council employs a Chief Executive Officer who is charged with the responsibility of putting into effect the decisions of the Council. The organisation is structured into three Directorates – Infrastructure; Corporate and Governance; and Sustainable Development. The Directors from these three areas, together with the Chief Executive Officer, comprise the Executive Management Team.

This structure brings together the operational areas with common functional goals.

5 ROLE AND KEY FUNCTIONS

The following information outlines the role and key functions of the Chief Executive Officer and each operating area. Where applicable, services to the community have been included under the relevant area.

Chief Executive Officer

To provide overall strategic direction and leadership and to co-ordinate the performance of the organisation.

- Policy formulation
- Strategic planning
- Performance review
- Leadership
- Management of change
- Economic development
- Marketing
- Member liaison
- Electoral Services
- Equal Opportunity
- Freedom of Information

Corporate & Governance

- Finance and Accounting
- Procurement
- Information Technology
- Information Document Services
- Geographical Information
- Business Solutions
- Human Resources
- Governance
- Customer Service
- Work Health and Safety
- Risk Management

Development – Economic and Services

- Environmental Protection
- Social Advancement
- Planning and Development
- Building Regulation
- Environmental Health
- Emergency Management
- Law Enforcement
- Library Services
- Community and Culture Services
- Recreation Services

Infrastructure

- Public Infrastructure, Buildings and Open Spaces
- Asset Management
- Infrastructure Planning and Programming
- Analysis and Design
- Maintenance and Construction
- Environment, Waste Management and Operations
- Infrastructure Compliance
- Project Management
- Subdivisional and Development Supervision
- Control of Works and Activities by Others
- Cemeteries Management

6. THE COUNCIL AND ELECTED MEMBERS

The Council currently comprises of 9 elected members. The Shire President is elected from the body of Elected Members by those members. The Elected Members are chosen democratically by the community and act in a voluntary capacity to represent the whole district of the Shire of Dardanup. The Elected Members form a corporate body working for the community and do not have the authority to act or make decisions as individuals. Decisions are made as a consensus of the Council in accordance with the Local Government Act, 1995.

Role of the Council

The roles of the Council and Elected Members are as follows:-

The Council:-

(i) directs and controls the Local Government's affairs;

(ii) is responsible for the performance of the Local Government's functions;

(iii) is to oversee the allocation of the Local Government's finances and resources;

(iv) is to determine the Local Government's policies.

Role of the Shire President

The Shire President:-

(i) presides at meetings in accordance with this Act;

(ii) provides leadership and guidance to the community in the district;

(iv) speaks on behalf of the Local Government;

(v) Liaises with the Chief Executive Officer on the Local Government's affairs and the performance of its functions.

Role of Councillors

A Councillor:-

(i) represents the interests of electors, ratepayers and residents of the district;

(ii) provides leadership and guidance to the community in the district;

(iii) facilitates communication between the community and the Council.

(iv) participates in the Local Government's decision-making processes at Council and Committee Meetings.

7. COUNCIL MEETINGS AND DECISION-MAKING STRUCTURE

The Council has established a register of delegations of authority to the Chief Executive Officer, who in turn has delegated certain functions to the Senior Managers.

The Council generally meets on the last Wednesday of each month.

A number of Committees and Advisory Groups have been established and are detailed hereunder:-

Committees of Council

- Audit, Risk & Improvement Committee
- Selection and Nominations Committee
- Local Emergency Management Committee
- Bushfire Advisory Committee
- Integrated Planning Committee
- CEO Review Committee
- Behaviour Complaints Committee

External Committees and Groups – Council Representation

- Burekup Country Club
- Eaton Senior Citizens Association
- Regional Road Group
- Bunbury Geographe Group of Councils
- Bunbury Geographe Economic Alliance
- South West WALGA Zone
- Ferguson Valley Marketing Inc
- Ferguson Hall Committee

- Eaton Bowling & Social Club and Eaton Senior Citizens Building Joint Management Committee
- Joint Town Planning Scheme Committtee

8. PUBLIC PARTICIPATION

Members of the public have a number of opportunities to put forward their views on particular issues before the Council.

These are:

- **Deputations**

Requests for deputations must be made to the Chief Executive Officer at least 7 days prior to a Council/Committee meeting to enable notice to be given in the appropriate meeting agenda. Further particulars relating to deputations are available by viewing Councils Standing Orders Local Law.

- **Public Question Time**

Members of the public are able to ask questions (preferably in writing) on any matter listed on the Council agenda. The Shire meetings provide for public questions both early and late in the meeting. Meetings of the Council are open to the public. Committee meetings are only open to the public if the Council has delegated decision making powers to the Committee.

- **Petitions**

Written petitions to be presented to the Council must be addressed to the Shire President and comply with Council's requirements detailed within its Standing Orders Local Law.

- **Written Requests**

A member of the public can write to the Council on any policy, activity or service of the Council, correspondence is to be addressed to the Chief Executive Officer.

- **Elected Members**

Members of the public can contact the Elected Members of the Council to discuss any issue relevant to the Council.

- **Community Consultation**

The Council consults with its residents on particular issues that affect their neighbourhood by way of advertising in the local papers, calling public meetings, and seeking responses to various proposals.

9. DOCUMENTS HELD BY THE SHIRE OF DARDANUP

The following documents are available for inspection by electors, residents and creditors of the Shire of Dardanup, at the Council's Administration Centre:

- Annual financial statement – available at least seven days prior to the Annual General Meeting of electors;
- Annual budget

The following documents are held at the Shire of Dardanup. Most are available for inspection by any member of the public at Council's Administration Centre [Some documents will require a FOI application to be considered for viewing]:

- FOI Information Statement;
- Register of Delegated Authority
- Shire of Dardanup Town Planning Scheme
- Policy Manual
- Tender Register (Local Government Act 1995 Local Government (Functions and General) Regulations 1996 No. 17);
- Code of Conduct;
- Register of Financial Interests;
- Annual Report;
- Annual budget;
- Schedule of fees and charges;
- Proposed local law of which the local government has given State-wide public notice under Section 3.12 (3) of the Local Government Act 1995;
- Local laws made by the local government in accordance with Section 3.12 of the Local Government Act 1995;
  - Health Local Law 2000
  - Activities in Thoroughfares and Public Places and Trading Local Law 2009
  - Standing Orders Local Law 2014
  - Dogs Local Law 2014
  - Dust Control Local Law 2011
  - Bushfire Brigades Local Law 2021
  - Local Government Property Local Law 2021
  - Cemeteries Local Law 2022
  - Extractive Industries Local Law 2022
  - Parking Local Law (2023) 2022
  - Cats Local Law 2023
- Regulations made by the Governor under Section 9.6 of the Local Government Act 1995 that operates as if they were local laws of the local government;

- Any written law having a provision in respect of which the local government has a power or duty to enforce;
- Confirmed Minutes of Council or Committee meetings [Except Confidential items];
- Minutes of Electors' meetings;
- Notice papers and Agenda relating to any Council or Committee meeting and reports and other documents that have been:
  - Tabled at a Council or Committee meeting; or
  - Produced by the Local Government or a Committee for presentation at a Council or Committee meeting and which have been presented at the meeting;
- Report of a review of a local law prepared under Section 3.16 (3) of the Local Government Act 1995;
- Business plans prepared under Section 3.59 of the Local Government Act 1995;
- Register of owners and occupiers under Section 4.32 (6) of the Local Government Act 1995 and electoral rolls;
- Contracts under Section 5.39 of the Local Government Act 1995 and variation of such contracts;
- Such other information relating to the Local Government:
  - Required by a provision of this Act to be available for public inspection; or
  - As may be prescribed;

  In the form or medium in which it may for the time being be held by the Local Government.

The following documents are available for inspection by members of the public, at the Council's Libraries located at Dardanup and Eaton:

- Annual report
- Annual budget
- Council Minutes

Available via Freedom of Information Act

While the Council endeavours to respond to information requests informally, Freedom of Information Legislation may be used to request access to information not available by any other means.

The Council is to administer the Act in a way that:

- Assists the public to obtain access to documents;
- Allows access to documents to be obtained promptly and at the lowest reasonable costs; and
- Assists the public to ensure that personal information contained in documents is accurate, complete, up to date and is not misleading.

While the Act provides for general right if access to documents it also recognises that some documents requires protection – these exemptions are listed in Schedule 1 of the Act and include:

- Personal information
- Information concerning trade secrets;
- Other commercially valuable information; or
- Any other information concerning the business, professional, commercial or financial affairs of a third party who is not the applicant.

Limits can apply to these exemptions in situations where disclosure of documents would, on balance, be in the public interest.

Access to the Shire of Dardanup records (Personal or Non Personal), can be made by application to the Freedom of information Co-ordinator stationed at the Council's Administration Centre (Refer Section 11 – Operation of Freedom of Information Processes).

Retention and Disposal of Council Records

All of the Council's records are retained in accordance with the State Records Advisory Council approved Local Government Retention and Disposal Schedule. This schedule stipulates how long a record must be kept and is available for inspection.

10. CODES OF CONDUCT – ELECTED MEMBERS; AND EMPLOYEES

The Local Government Act 1995 provides that every Local Government is to prepare a code of conduct which is to be observed by elected members of the Council and a separate Code of Conduct for Employees.

In relation to information Elected Members and employees have a responsibility to ensure that:

- As an Elected Member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council.
- Information of a confidential nature ought not to be communicated until it is no longer treated as confidential.

- Information relating to decisions of the Council must only be communicated in an official capacity by a designated officer of the Shire of Dardanup.

- Information concerning adopted policies, procedures and decisions of the Shire of Dardanup is conveyed accurately.

11. OPERATION OF FREEDOM OF INFORMATION PROCESSES

What is the Freedom of Information Act all about?

- It gives you the legally enforceable right to access records held by both State and Local Government agencies. You do not need to demonstrate any connection to or reason for seeking access to these records.

- It gives you the right to apply to have personal information we hold that you believe is inaccurate to be altered. (At no cost).

- It obliges the Shire of Dardanup to make available certain information about the way it operates.

What are considered to be Records?

The Act defines records as:

> *Record means any record of information however recorded and includes —*
> *(a) any thing on which there is writing or Braille; and*
> *(b) a map, plan, diagram or graph; and*
> *(c) a drawing, pictorial or graphic work, or photograph; and*
> *(d) any thing on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them; and*
> *(e) anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and*
> *(f) any thing on which information has been stored or recorded, either mechanically, magnetically, or electronically;*

What are the costs involved?

The costs may vary depending on the information requested. An initial application fee of $30 applies for requests for non-personal information upon lodgement of the written access application. There is no initial fee for requests for personal information.

Charges also apply at the rate of $30 per hour for activities involved in dealing with the application, such as photocopying, consulting with 3rd parties, deleting exempt matter (where appropriate), preparing a notice of decision in the required form, examining documents and making a decision about access, and providing access in the manner requested by the applicant.

Photocopying charges of 20 cents apply for each copy. Additional charges may apply in respect of the provision and delivery of information in other formats.

The Council may require an advance deposit on charges payable. (Full details of charges are detailed at the end of this section).

Who can I contact to make enquiries?

You may ring the Shire of Dardanup Freedom of Information Co-ordinator on (08) 9724 0361 between the hours of 9.00am to 4.00pm Monday to Friday if you have any queries. Alternatively you can send an e-mail to records@dardanup.wa.gov.au .

How do I lodge an application?

All applications must be lodged in writing, it is suggested that you use the "Application for Access to Documents" form, to assist you in this process:

By Post, addressed to:

FOI Co-ordinator
Shire of Dardanup
PO Box 7016
EATON WA 6232

In person, at:

Shire of Dardanup
Administration Centre
1 Council Drive
EATON WA 6232

See attachment for a copy of an FOI Application for Access to Documents form.

What can I do if I am denied access to something?

The Freedom of Information Act provides for a review and appeal process. You may seek an Internal Review or if you are still not satisfied a review by the Information Commissioner and still further you can appeal to the Supreme Court.

- **The Internal Review** – If you are dissatisfied by a decision that we make concerning your application then you can apply for the Council for an internal review of its decision. To apply for an internal review you must put your request in writing and lodge it with the Council within thirty (30) days of being notified of the original decision. There is no charge for an internal review.

- **External Review by the Information Commissioner** – If you are still dissatisfied after the internal review has been completed, you may seek a review by the Information Commissioner. This request must be made in writing to the Information Commissioner giving details of the decision to which your complaint relates. There is no charge for an external review.

- **Appeals to the Supreme Court** – Any party to a complaint may appeal to the Supreme Court on any question of law arising out of a decision of the Information Commissioner, except for a decision as to the deferral of access to a document, the charges to be imposed for dealing with an access application and the payment of a deposit on account of charges.

Freedom of Information Applications

- Applicants must provide sufficient information to enable the correct document(s) to be identified.

- Proof of your identity may be required, e.g. current drivers' licence.
- If you are seeking access to document(s) on behalf of another person, the Shire of Dardanup will require authorisation, usually in writing.
- Your application will be dealt with as soon as practicable (within 45 calendar days) after it is received.
- Further information can be obtained from the Shire of Dardanup Freedom of Information Co-ordinator (Telephone 08 9724 0361).

The Freedom of Information Act 1992 is available for purchase from the State Law Publisher, 10 William Street Perth (Telephone 08 9321 7688), or can be downloaded at no cost from the WA Department of Justice website.

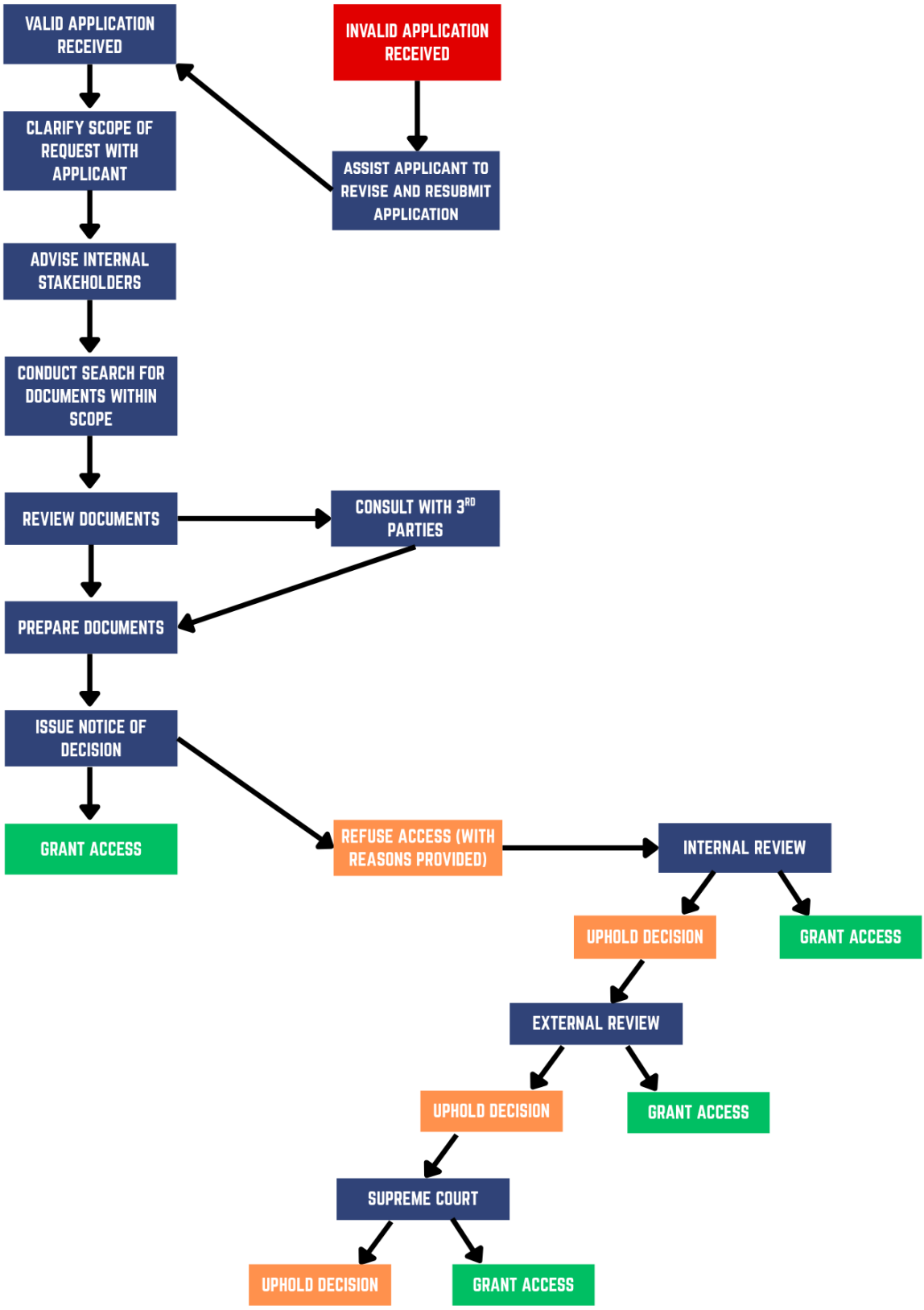
Forms of Access

You can request access to documents by way of inspection, a copy of a document, a copy of an audio or video tape, or computer disk, a transcript of a recorded document or of words recorded in shorthand or encoded form, or a written document in case of a document where words can be reproduced in written form.

Freedom of Information Scale of Fees and Charges

1.	**Type of Fee**	
	Application fee under Section 12 (1)(e) of the FOI Act (for non personal information)	**$30.00**
2.	**Type of Charge**	
a)	(Charge for time taken by Staff dealing with the application (per hours, or pro rata for a part of an hour)	**$30.00**
b)	Charge for access time supervised by Staff (per hour, or pro rata for a part of an hour, plus the actual additional costs to the agency of any special arrangements (e.g. hire of facilities or equipment).	**$30.00**
c)	Charges for photocopying:	
	(i) per hour, or pro rata for a part of an hour of Staff time	**$30.00**
	(ii) per A4 copy	**0.20**
d)	Charge for time taken by Staff transcribing information from a tape or other device (per hours, or pro rata for a part of an hour).	**$30.00**
e)	Charge for duplicating a tape, film or computer information.	**Actual Cost**
f)	Charge to delivery, packaging and postage.	**Actual Cost**
3.	**Advance Deposits**	
a)	Advance deposit which may be required by an agency under Section 18 (1) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee.	**25%**
b)	Further advance deposit which may be require by an agency under Section 18(4) of the Act, expressed as a percentage of the estimated charges which will be payable in excess of the application fee.	**75%**

The FOI Process



12. DETAILS OF LEGISLATION ADMINISTERED BY THE SHIRE OF DARDANUP

The Shire of Dardanup is established under the Local Government Act 1995, and has the responsibility for the administration of this Act within the municipality. Other major legislation which the Shire of Dardanup is wholly or partly responsible for administrating is:

Agriculture and Related Resources protection Act 1976

Building Act 2011

Building Services Registration Regulations 2011

Bush Fires Act 1954

Bush Fire Regulations

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping grounds Regulations

Shire of Dardanup Town Planning Scheme

Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme No.1

Cemeteries Act 1986

Disability Discrimination Act 1992

Dog Act 1976

Electronic Transactions Act 2011

Equal Employment Opportunity Act 1984

Environmental Protection Act 1986

Environmental Protection (Noise) Regulations 1997

Freedom of Information Act 1992

Health Act 1911

Industrial Awards

Library Board of Western Australia Act 1951

Litter Act 1979

Liquor Licensing Act 1988

Local Government Act 1995

Local Government (Miscellaneous Provisions) Act 1960

Occupational Safety and Health Act 1984

Privacy and Responsible Information Sharing Act 2024

Planning & Development Act 2005

Racial Discrimination Act 1976

Sex Discrimination Act 1984

State Records Act 2000

Western Australia Disability Services Act 1993

Workers Compensation and Assistance Act 1981

FREEDOM OF INFORMATION – APPLICATION FORM

DETAILS OF APPLICANT:

SURNAME	
GIVEN NAMES	
AUSTRALIAN POSTAL ADDRESS	
TELEPHONE	
EMAIL	
NAME OF ORGANISATION/ BUSINESS	

DETAILS OF REQUEST ☐ Personal Documents ☐ Non-personal Documents

I am applying for access to document(s) concerning (if insufficient space please attach details):

FORM OF ACCESS:

I wish to inspect the document(s) ☐ Yes ☐ No

I require a copy of the document(s) ☐ Yes ☐ No

I require access in another form ☐ Yes ☐ No

If Yes, please specify:

FEES AND CHARGES

Attached is a cheque/cash to the amount of $30.00 to cover the application fee. I understand that before I obtain access to documents, I may be required to pay processing charges in respect of this application, and that I will be supplied with a statement of charges if appropriate.

In certain cases, a reduction in fees and charges may apply – See notes attached. If you consider you are entitled to a reduction, submit a request with copies of documents which address the criteria in the notes and support your application fee for a reduction.

I am requesting a reduction in fees and charges ☐ Yes ☐ No

SIGNATURE: _____ DATE: _____

OFFICE USE ONLY

FOI Reference Number	
Received On:	
Deadline for Response:	
Acknowledgement Sent On:	
Proof Identity [If Applicable]	
TYPE:	
Sighted:	
TYPE:	
Sighted:	

NOTES

FOR APPLICATION:

- Please provide sufficient information to enable the correct document(s) to be identified.
- The agency may request proof of your identity. (Any TWO of: Passport, Birth Extract, Driver's License, Credit Card or similar).
- If you are seeking access to a document(s) on behalf of another person, the agency will require authorization in writing from that person.
- Your application will be dealt with as soon as practicable (and, in any case, within 45 calendar days) after it is received.
- Further information can be obtained from the Office of the Information Commissioner – Albert Facey House, 469 Wellington Street, Perth WA 6000. Phone: (08) 6551 7888.

FORMS OF ACCESS

You can request access to documents by way of inspection, a copy of a document, a copy of an audio or video tape, a computer disk, a transcript of a recorded document, or of words recorded in shorthand or encoded form, or a written document in the case of a document from which words can be reproduced in written form.

Where the agency is unable to grant access in the form requested, access may be given in a difference form.

FEES AND CHARGES

Application Fee	$30.00
Charge dealing with application	$30.00 per hour
Charge supervision access	$30.00 per hour
Photocopying	$30.00 per hour and 20 cents per copy
Charge for transcribing information	$30.00 per hour
Charge for duplicating a tape, film or computer info.	Actual cost
Delivery, package & postage	Actual cost
Advance deposit (Section 18(1))	25% of estimated charges
Advance deposit (Section 18(4))	75% of estimated charges

LODGEMENT OF APPLICATION

Applications may be lodged:

By post, addressed to:
FOI Coordinator
Shire of Dardanup
PO Box 7016
EATON WA 6232

OR:

In person, at:
Shire of Dardanup
1 Council Drive
EATON WA 6232

OR:

Via email, addressed to:
FOI Coordinator
records@dardanup.wa.gov.au